

**Amended 3/27/08**

AGENDA\*  
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION MEETING  
Alabama Department of Environmental Management (ADEM) Building  
Alabama Room (Main Hearing Room)  
1400 Coliseum Boulevard  
Montgomery, Alabama  
April 18, 2008  
11:00 a.m.

| <u>ITEM</u>                                                                                                                                                                | <u>PAGE</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| 1. Consideration of Minutes of Meeting Held on March 20, 2008**                                                                                                            | 2           |
| 2. Report from the Director                                                                                                                                                | 2           |
| 3. Report from the Commission Chair                                                                                                                                        | 2           |
| 4. Consideration of adoption of proposed amendments to the Division 14 – Hazardous Waste Regulations                                                                       | 2           |
| 5. Consideration of adoption of proposed amendments to the Division 6 – Water Quality Criteria and Water Use Classifications Regulations (NPDES-Related Matter)            | 2           |
| 6. Consideration of adoption of proposed amendments to the Division 6 – National Pollutant Discharge Elimination System (NPDES) Regulations (NPDES-Related Matter)         | 3           |
| 7. Discussion of ADEM Admin. Code Chapter 335-6-10, Appendix A (Reference Doses) and consideration of possible future rulemaking to amend said rule (NPDES-Related Matter) | 3           |
| 8. Discussion of having meetings at different locations around the State                                                                                                   | 3           |
| 9. Other business                                                                                                                                                          | 3           |
| 10. Future business session                                                                                                                                                | 3           |

\*The Agenda for this meeting will be available on the ADEM website, [www.adem.alabama.gov](http://www.adem.alabama.gov), under EMC Information and Calendar of Events.

\*\*The Minutes for this meeting will be available on the ADEM website under EMC Information.

1. CONSIDERATION OF MINUTES OF MEETING HELD ON MARCH 20, 2008
2. REPORT FROM THE DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO THE DIVISION 14 – HAZARDOUS WASTE REGULATIONS

The Commission will consider proposed amendments to the Division 14 – Hazardous Waste Regulations. The Department proposes to amend ADEM Administrative Code Chapters 335-14-1 to 335-14-8, 335-14-11, and 335-14-17. The Department held a public hearing on the proposed amendments on February 6, 2008.

5. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO THE DIVISION 6 – WATER QUALITY CRITERIA AND WATER USE CLASSIFICATIONS REGULATIONS (NPDES-RELATED MATTER)

The Commission will consider proposed amendments to the Division 6 – Water Quality Criteria and Water Use Classifications Regulations. The purpose of the proposed amendments is to revise water quality criteria and establish standards of quality for surface waters of the state. The Department proposes to amend ADEM Administrative Code rule 335-6-10-.07 by adding a relative source contribution factor to the equations used to calculate human health criteria for non-carcinogenic pollutants, and includes the addition of the relative source contribution factors in Appendix A. Also, in response to a resolution adopted by the Environmental Management Commission, the Alabama Department of Environmental Management proposes to amend rule 335-6-10-.07 by changing the risk level used to calculate human health criteria for all carcinogens except arsenic. In addition, the text describing the factors used in Equations 16 and 17 and Equations 18 and 19 is being formatted to provide clarity.

Also, the Department proposes to amend ADEM Administrative Code rule 335-6-11-.01 to clarify the Department's process for reviewing and making changes to assigned use classifications for any usage which has an associated degree of quality considered to be less than that applicable to the classification of "Fish and Wildlife."

The Department held a public hearing on the proposed amendments on March 19, 2008.

6. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO THE DIVISION 6 – NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REGULATIONS (NPDES-RELATED MATTER)

The Commission will consider proposed amendments to the Division 6 – NPDES Regulations. The Department proposes to amend rule 335-6-6-.14(3) to update the federal regulation references and to recognize total maximum daily loads (TMDLs) established pursuant to the Federal Water Pollution Control Act (FWPCA). The Department proposes to amend rule 335-6-6-.16(a) to provide permit schedules of compliance in the event of adoption of a new water quality standard or establishment of a total maximum daily load. Also, the Department proposes to amend rule 335-6-6-.02 to add new definitions. The Department held public hearings on the proposed amendments on March 6 and March 19, 2008.

7. DISCUSSION OF ADEM ADMIN. CODE CHAPTER 335-6-10, APPENDIX A (REFERENCE DOSES) AND CONSIDERATION OF POSSIBLE FUTURE RULEMAKING TO AMEND SAID RULE (NPDES-RELATED MATTER)

This agenda item was tabled at the March 20, 2008, Commission meeting until this meeting. The agenda item as tabled stated: The Commission will discuss which EPA sources to use to set reference dose values for toxic substances in ADEM Admin. Code Chapter 335-6-10, Appendix A, including those for acrolein and phenol, and consider a motion on possible future rulemaking to amend said rule. Subsequent to the tabling of this agenda item, the Commission received a letter concerning EPA's proposed updating of the recommended Clean Water Act (CWA) Section 304(a) water quality criteria for acrolein and phenol with the latest Integrated Risk Information System (IRIS) values. The Commission will discuss and consider said letter under this agenda item and call on the Department for comments.

8. DISCUSSION OF HAVING MEETINGS AT DIFFERENT LOCATIONS AROUND THE STATE

This item was added to the agenda at the request of Commissioner Felker. The Commission will discuss the possibility of having its meetings at different locations around the State.

9. OTHER BUSINESS

10. FUTURE BUSINESS SESSION